

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Walke et al.

Application No.: 09/893,321

Filed: 06/27/01

Group Art Unit: 1653

Title: Novel Human GABA Receptors and
Polynucleotides Encoding the Same

Examiner: To Be Assigned

Attorney Docket No.: LEX-0195-USA

Commissioner for Patents
Washington, D.C. 20231
Box DD

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:
- ☐ Certification under 37 CFR 1.97(e), or
 - ☐ a \$240.00 fee under 37 CFR 1.17(p), or
- (After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:
- ☐ Certification under 37 CFR 1.97(e), and
 - ☐ a petition under 37 CFR 1.97(d)(2)(ii), and
 - ☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i)(1).
- (Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s)

believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

November 26, 2001

Date

Lance K. Ishimoto by David W. Hibler *DAVID W. HIBLER*
REG. NO. 41,071
Lance K. Ishimoto Reg. No. 41,866

LEXICON GENETICS INCORPORATED
4000 Research Forest Drive
The Woodlands, TX 77381
(281) 863-3333

Please type a plus sign (+) inside this box → □

PTO/SB/08A (10-96)

Approved for use through 10/31/99. OMB 0651-0031
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO <h2 style="text-align: center; margin: 0;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center; font-size: small;">(use as many sheets as necessary)</p>		<h3 style="text-align: center; margin: 0;">Complete if Known</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>09/893,321</td> </tr> <tr> <td>Filing Date</td> <td>06/27/01</td> </tr> <tr> <td>First Named Inventor</td> <td>Walke</td> </tr> <tr> <td>Group Art Unit</td> <td>1653</td> </tr> <tr> <td>Examiner Name</td> <td>To be assigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>LEX-0195-USA</td> </tr> </table>		Application Number	09/893,321	Filing Date	06/27/01	First Named Inventor	Walke	Group Art Unit	1653	Examiner Name	To be assigned	Attorney Docket Number	LEX-0195-USA
Application Number	09/893,321														
Filing Date	06/27/01														
First Named Inventor	Walke														
Group Art Unit	1653														
Examiner Name	To be assigned														
Attorney Docket Number	LEX-0195-USA														
Sheet	1	3													

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AA	4,215,051		Schroeder et al	07/29/80	
	AB	4,376,110		David et al	03/08/83	
	AC	4,594,595		Struckman	06/10/86	
	AD	4,631,211		Houghten	12/23/86	
	AE	4,689,405		Frank et al	08/25/87	
	AF	4,713,326		Dattagupta et al	12/15/87	
	AG	4,873,191		Wagner et al	10/10/89	
	AH	4,946,778		Ladner et al	08/07/90	
	AI	5,252,743		Barrett et al	10/12/93	
	AJ	5,424,186		Fodor et al	06/13/95	
	AK	5,445,934		Fodor et al	08/29/95	
	AL	5,459,127		Felgner et al	10/17/95	
	AM	5,556,752		Lockhart et al	09/17/96	
	AN	5,700,637		Southern	12/23/97	
	AO	5,744,305		Fodor et al	04/28/98	
	AP	5,830,721		Stemmer et al	11/03/98	
	AQ	5,837,458		Minshull et al	11/17/98	
	AR	5,869,336		Meyer et al.	02/09/99	
	AS	5,877,397		Lonberg et al	03/02/99	
	AT	5,948,767		Scheule et al.	09/07/99	
	AU	6,075,181		Kucherlapati et al	06/13/00	
	AV	6,110,490		Thierry	08/29/00	
	AW	6,150,584		Kucherlapati et al.	11/21/00	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office ³	Number ⁴	Kind Code ⁵ (if known)			
	AX	WO	99/42580	A2	Smithkline Beecham Corporation	08/26/99	Figures Appear

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	09/893,321
		Filing Date	06/27/01
		First Named Inventor	Walke
		Group Art Unit	1653
		Examiner Name	To be assigned
		Attorney Docket Number	LEX-0195-USA
Sheet	2	3	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AY	Bird et al, 1988, "Single-Chain Antigen-Binding Proteins", Science 242:423-426.	
	AZ	Bitter et al, 1987, "Expression and Secretion Vectors for Yeast", Methods in Enzymology 153:516-544.	
	BA	Colbere-Garapin et al, 1981, "A New Dominant Hybrid Selective Marker for Higher Eukaryotic Cells", J. Mol. Biol. 150:1-14.	
	BB	Gautier et al, 1987, "α-DNA IV:α-anomeric and β-anomeric tetrathymidylates covalently linked to intercalating oxazolopyridocarbazole. Synthesis, physicochemical properties and poly (rA) binding", Nucleic Acids Research 15(16):6625-6641.	
	BC	Gordon, 1989, "Transgenic Animals", International Review of Cytology, 115:171-229.	
	BD	Greenspan et al, 1993, "Idiotypes: structure and immunogenicity", FASEB Journal 7:437-444.	
	BE	Gu et al, 1994, "Deletion of a DNA Polymerase β Gene Segment in T Cells Using Cell Type-Specific Gene Targeting", Science 265:103-106.	
	BF	Huse et al, 1989, "Generation of a Large Combinatorial Library of the Immunoglobulin Repertoire in Phage Lambda", Science 246:1275-1281.	
	BG	Huston et al, 1988, "Protein engineering of antibody binding sites: Recovery of specific activity in an anti-digoxin single-chain Fv analogue produced in Escherichia coli", Proc. Natl. Acad. Sci. USA 85:5879-5883.	
	BH	Inoue et al, 1987, "Sequence-dependent hydrolysis of RNA using modified oligonucleotide splints and R Nase H", FEBS Letters 215(2):327-330.	
	BI	Inoue et al, 1987, "Synthesis and hybridization studies on two complementary nona(2'-O-methyl)ribonucleotides", Nucleic Acids Research 15(15):6131-6149.	
	BJ	Inouye & Inouye, 1985, "Up-promoter mutations in the lpp gene of Escherichia coli", Nucleic Acids Research 13(9):3101-3110.	
	BK	Janknecht et al, 1991, "Rapid and efficient purification of native histidine-tagged protein expressed by recombinant vaccinia virus", PNAS 88:8972-8976.	
	BL	Kohler & Milstein, 1975, "Continuous cultures of fused cells secreting antibody of predefined specificity", Nature 256:495-497.	
	BM	Lakso et al, 1992, "Targeted oncogene activation by site-specific recombination in transgenic mice", Proc. Natl. Acad. Sci. USA 89:6232-6236.	
	BN	Lavitrano et al, 1989, "Sperm Cells ad Vectors for Introducing Foreign DNA into Eggs: Genetic Transformation of Mice", Cell 57:717-723.	
	BO	Lo, 1983, "Transformation by Iontophoretic Microinjection of DNA: Multiple Integrations without Tandem Insertions", Mol. & Cell. Biology 3(10):1803-1814.	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449B/PTO		Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT NOV 29 2001 (use as many sheets as necessary)		Application Number	09/893,321	
		Filing Date	06/27/01	
		First Named Inventor	Walke	
		Group Art Unit	1653	
		Examiner Name	To be assigned	
Sheet	3	3	Attorney Docket Number	LEX-0195-USA

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BP	Logan et al, 1984, "Adenovirus tripartite leader sequence enhances translation of mRNAs late after infection", Proc. Natl. Acad. Sci. USA 81:3655-3659.	
	BQ	Lowy et al, 1980, "Isolation of Transforming DNA: Cloning the Hamster apt Gene", Cell 22:817-823.	
	BR	Morrison et al, 1984, "Chimeric human antibody molecules: Mouse antigen-binding domains with human constant region domains", Proc. Natl. Acad. Sci. USA 81:6851-6855.	
	BS	Mulligan & Berg, 1981, "Selection for animal cells that express the Escherichia coli gene coding for xanthine-guanine phosphoribosyltransferase", Proc. Natl. Acad. Sci. USA 78(4):2072-2076.	
	BT	Neuberger et al, 1984, "Recombinant antibodies possessing novel effector functions", Nature 312:604-608.	
	BU	Nisonoff, 1991, "Idiotypes: Concepts and Applications", J. of Immunology 147:2429-2438.	
	BV	O'Hare et al, 1981, "Transformation of mouse fibroblasts to methotrexate resistance by a recombinant plasmid expressing a prokaryotic dihydrofolate reductase", Proc. Natl. Acad. Sci. USA 78(3):1527-1531.	
	BW	Ruther et al, 1983, "Easy identification of cDNA clones", EMBO Journal 2(10):1791-1794.	
	BX	Santerre et al, 1984, "Expression of prokaryotic genes for hygromycin B and G418 resistance as dominant-selection markers in mouse L cells", Gene 30:147-156.	
	BY	Sarin et al, 1988, "Inhibition of acquired immunodeficiency syndrome virus by oligodeoxynucleoside methylphosphonates", Proc. Natl. Acad. Sci. USA 85:7448-7451.	
	BZ	Smith et al, 1983, "Molecular Engineering of the Autographa californica Nuclear Polyhedrosis Virus Genome: Deletion Mutations within the Polyhedrin Gene", J. Virol. 46(2):584-593.	
	CA	Stein et al, 1988, "Physicochemical properties of phosphorothioate oligodeoxynucleotides", Nucleic Acids Research 16(8):3209-3221.	
	CB	Szybalska & Szybalski, 1962, "Genetics of Human Cell Lines, IV. DNA-Mediated Heritable Transformation of a Biochemical Trait", Proc. Natl. Acad. Sci. USA 48:2026-2034.	
	CC	Takeda et al, 1985, "Construction of chimaeric processed immunoglobulin genes containing mouse variable and human constant region sequences", Nature 314:452-454.	
	CD	Thompson et al, 1989, "Germ Line Transmission and Expression of a Corrected HPRT Gene Produced by Gene Targeting in Embryonic Stem Cells", Cell 56:313-321.	
	CE	Van Der Putten et al, 1985, "Efficient insertion of genes into the mouse germ line via retroviral vectors", Proc. Natl. Acad. Sci. USA 82:6148-6152.	
	CF	Van Heeke et al, 1989, "Expression of Human Asparagine Synthetase in Escherichia coli", J. Biol. Chemistry 264(10):5503-5509.	
	CG	Ward et al, 1989, "Binding activities of a repertoire of single immunoglobulin variable domains secreted from Escherichia coli", Nature 341:544-546.	
	CH	Wigler et al, 1977, "Transfer of Purified Herpes Virus Thymidine Kinase Gene to Cultured Mouse Cells", Cell 11:223-232.	
	CI	Wigler et al, 1980, "Transformation of mammalian cells with an amplifiable dominant-acting gene", Proc. Natl. Acad. Sci. USA 77(6):3567-3570.	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.